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APPLICATION NUMBER	FLING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/705.326	08/29/96	LACOUNT	K 1
		EXAMINER	
C2M1/0618		TONES, E	ART UNIT PAPER NUMBER
EMRICH AND DITHMAR 300 SOUTH WACKER DRIVE SUITE 3000 CHICAGO IL 60606		3204	3
DATE MAILED: 06/18/97			

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

Responsive to communication(s) filed on _____

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-23 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
 Claim(s) _____ is/are allowed.
 Claim(s) _____ is/are rejected.
 Claim(s) 1-23 is/are objected to.
 Claim(s) 1-23 are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
 The drawing(s) filed on _____ is/are objected to by the Examiner.
 The proposed drawing correction, filed on _____ is approved disapproved.
 The specification is objected to by the Examiner.
 The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 All Some* None of the CERTIFIED copies of the priority documents have been
 received.
 received in Application No. (Series Code/Serial Number) _____
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of Reference Cited, PTO-892
 Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
 Interview Summary, PTO-413
 Notice of Draftsperson's Patent Drawing Review, PTO-948
 Notice of Informal Patent Application, PTO-152

Part III DETAILED ACTION

Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-5, drawn to a dispenser with improved actuator means, classified in Class 242, subclass 564.4.

Group II. Claims 6-10, drawn to a dispenser with a roller frame assembly, classified in Class 225, subclass 51.

Group III. Claims 11-15, drawn to a dispenser with a transfer roller, classified in Class 242, subclass 560.

Group IV. Claims 16-23, drawn to a dispenser with a roller frame assembly and a transfer roller, classified in Class 225, subclass 34.

The inventions are distinct, each from the other because of the following reasons:

2. The inventions of Groups I and II are separate inventions. They are distinct because the invention of Group I does not require the details of a roller frame assembly for patentability as evidenced by the omission thereof from Group I and the invention of Group II does not require the details of the actuator means being pivotally mounted on the housing for patentability as evidenced by the omission thereof from Group II.

3. The inventions of Groups I and III are separate inventions. They are distinct because the invention of Group I does not require the details of a transfer roller for patentability as evidenced by the omission thereof from Group I and the invention of Group III does not require the details of the actuator means being pivotally mounted on the housing for patentability as evidenced by the omission thereof from Group III.

4. The inventions of Groups I and IV are separate inventions. They are distinct because the invention of Group I does not require the details of a roller frame assembly for patentability as evidenced by the omission thereof from Group I and the invention of Group IV does not require the details of the actuator means being pivotally mounted on the housing for patentability as evidenced by the omission thereof from Group IV.

5. The inventions of Groups II and III are separate inventions. They are distinct because the invention of Group II does not require the details of a transfer roller for patentability as evidenced by the omission thereof from Group II and the invention of Group III does not require the details of a roller frame assembly for patentability as evidenced by the omission thereof from Group III.

6. The inventions of Groups II and IV are separate inventions. They are distinct because the invention of Group II does not require a means for supporting a second paper roll or a transfer

roller for patentability as evidenced by the omission thereof from Group II and the invention of Group IV does not require the drive roller rotatably mounted inside the housing or the roller frame assembly being pivotally mounted with respect to the housing for patentability as evidenced by the omission thereof from Group IV.

7. The inventions of Groups III and IV are separate inventions. They are distinct because the invention of Group III does not require the details of a tension roller or a roller frame assembly for patentability as evidenced by the omission thereof from Group III and the invention of Group IV does not require the transfer roller to include a clip for patentability as evidenced by the omission thereof from Group IV.

8. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

9. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

10. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

Serial Number: 08/705,326

-5-

Art Unit: 3204

remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugenia Jones whose telephone number is (703) 308-2172.



EUGENIA JONES
PRIMARY EXAMINER
GROUP 3200

EAJ
June 17, 1997